



REGULAR MEETING MINUTES

for

Wednesday, May 24, 2006

4:00 P.M. – Council Chamber Boardroom
and
5:30 P.M. - Art Pick Council Chambers
3900 Main Street, Riverside, CA

CASE REVIEW – 4:00 P.M.

1) Case Review Roll Call

Brewer	Davidson	Garcia	Arreola	Ward	Pearcy	Corral	Castro	Quinto
✓	✓	A	✓	✓	✓	A	✓	✓

✓ = Present A = Absent

Staff: Pedro Payne, Phoebe Sherron

2) Public Comment

There were no public comments.

3) Commissioner Comments

There were no commissioner comments.

4) Closed Session – Case Reviews

Pursuant to Government Code Section 54957, the Commission adjourned to Closed Session at 4:08 p.m. to discuss issues pertaining to PUBLIC EMPLOYEE PERSONNEL MATTERS.

	CPRC CASE NO.	RPD CASE NO.		CPRC CASE NO.	RPD CASE NO.
1)	05-053	PC-05-155-064	6)	05-116	PC-05-342-248
2)	05-083	PC-05-251-224	7)	05-118	PC-05-344-117
3)	05-085	PC-05-259-264	8)	05-126	PC-06-031-074
4)	05-108	PC-05-313-146	9)	05-128	PC-05-363-180
5)	05-114	PC-05-324-147	10)		

The Commission recessed at 5:30 P.M. to reconvene in the Council Chambers.

OPEN SESSION – 5:30 P.M.

The following proceedings have been digitally recorded.
For copies, please call the CPRC office at (951) 826-5509.

Chairman Davidson led in the Pledge of Allegiance.

REGULAR MEETING – ROLL CALL

Chairman Davidson asked Ms. Sherron to confirm commissioner attendance.

Brewer	Davidson	Garcia	Arreola	Ward	Pearcy	Corral	Castro	Quinto
✓	✓	A	✓	✓	✓	A	✓	✓

✓ = Present A = Absent

Staff: Dr. Pedro Payne, Executive Director; Phoebe Sherron, Sr. Office Specialist

5) Public Comments

Dr. Ron Bailey spoke regarding a KCAL 9 video (May 3, 2006) regarding how hard it is to file a complaint against police, David Goldstein reporting. He said that it reviewed a number of agencies in Inland Empire. Dr. Bailey highly recommended that commissioners review the video as it emphasizes the difficulties people have in filing and processing complaints.

Ms. Habeebah Akbar said she had a problem filing a complaint. She asked why the police department is here if citizen calls and they don't do anything.

6) Commissioner Comments

Commissioner Percy asked if the complaint form had been modified in light of the recent Supreme Court decision regarding false allegations of misconduct by a police officer (PC 148.6). Dr. Payne advised that the complaint form is not a CPRC form, but an RPD form and if any changes were made regarding this issue, the changes would be made by RPD. However, the decision is being appealed again. Commissioner Percy expressed concern that the admonishment is still part of the complaint form during the appeal process. Dr. Payne noted that, if there are any concerns, the issue can be agendaized for further discussion or he could speak with the City Attorney and RPD.

7) Argow Officer-Involved Death Case

CPRC Investigator, Mr. Butch Warnberg, briefed the Commission on his investigation into the Argow officer-involved death case. (Please see attached reports. Audio of this meeting is also available upon request.) Mr. Warnberg then responded to questions and comments from commissioners and members of the public.

Commissioner Corral expressed concern that Mr. Argow's blood alcohol level at the time of the incident couldn't be established. Mr. Warnberg said that it could have been, but it wasn't done. He noted that the effort at the hospital at the time Mr. Argow arrived was to save his life rather than determine his blood alcohol content.

Commissioner Ward commented that a number of residents from the Salva home said they'd been in contact with Mr. Argow and that they'd tried contacting RPD to advise them that Mr. Argow's gun was unloaded. Mr. Warnberg replied that although civilian witnesses said they'd told officers Mr. Argow's gun wasn't loaded, audio from Mr. Salva's security video indicates that that information wasn't given to officers until after shooting occurred.

Commissioner Ward asked if there was any audio that indicated officers were telling people to go back in the house. Mr. Warnberg said there was no audio of officers telling people to get back in the house, that they weren't yelling. Commissioner Ward said that if the officers' tone of voice were muted, how do we know civilians didn't tell the officers' Mr. Argow's gun was unloaded. Dr. Payne said that if officers had been given that information, they might have changed their tactics. Mr. Warnberg said that most likely wouldn't have made any difference. He said the officer was 101' away from the Argow residence and didn't know if the weapon was a shotgun or rifle.

Dr. Bailey said he was "happy" that everyone was on the "same page" about that it was a "justified shooting." "Do we really know what we're doing when policing impaired individuals?" he asked. He also asked about what RPD is doing to make sure this same type of incident doesn't happen "next week." He said that it was presumptuous to conclude that Mr. Argow was intoxicated. He said that any doctor he knows would do a tox screen and he was concerned that the initial tox information isn't available. He also asked what happened to the rounds of ammunition that didn't strike Mr. Argow and also asked about the training for the Emergency Response Team (ERT). Mr. Warnberg said that the ERT is an ad-hoc team and that they have no medical training, but that officers are chosen who will best suit the situation. Capt Esquivel said that that is correct, but that officers could have special training.

8) **CPRC Committee Membership**

Committee membership was discussed and appointments were made. The membership of each committee is now as follows:

- **Outreach Committee**
 - Brian Percy, Chair
 - Bonavita Quinto-MacCallum
 - Sheri Corral
 - Frank Arreola
- **Policies and Procedures Review Committee**
 - Jack Brewer, Chair
 - Jim Ward
 - Bob Garcia
 - Frank Arreola
- **Budget Committee**
 - Bob Garcia, Chair
 - Sheri Corral
 - Bonavita Quinto-MacCallum
- **Internal Evaluation Committee (Ad Hoc)**
 - Jim Ward, Chair
 - Bonavita Quinto-MacCallum
 - Bob Garcia

9) **Approval of Minutes**

Minutes for Approval	Motion	Second	Approve	Oppose	Abstain
April 26 Regular Meeting	Quinto	Ward	6	0	1
May 10 Case Review Meeting	Ward	Arreola	6	0	1

10) **Executive Director's Report & Comments**

Executive Director Payne:

- congratulated and thanked the Commission on having its first public discussion on the Argow case within 30 days of receiving casebook.

11) **Committee Reports**

A) Outreach Committee – Brian Pearcy, Chair

- no meeting – no report

B) Budget Committee – Bob Garcia, Chair

- no meeting – no report

C) Policy & Procedure Review Committee - Jack Brewer, Chair

- no meeting – no report

D) Internal Evaluation Ad-hoc Committee – Jim Ward, Chair

- Commission received training proposal from LA Co. Office of Independent Review. Mr. Michael Gennaco and Mr. Stephen Connolly came to observe the Commission's meeting. The training session will be scheduled for a half-day presentation to begin around 10 AM and end in the early afternoon.
- Will give copies of the Commission's 2005 Annual Report to Mr. Gennaco and Mr. Connolly as it contains the ordinance and charter.

Chairman Davidson thanked Mr. Gennaco and Mr. Connolly for coming out from Los Angeles. He said that his main concern is that the Commission doesn't stray outside its boundaries and hopes that the training can assist in the areas in which the Commission has control and help the Commission to learn how to better use authority it has.

12) **Commissioner Comments**

There were commissioner comments.

13) **Items for Future Commission Consideration**

Commissioner Arreola suggested that the Outreach Committee meet more than once a month. Chairman Davidson said he might want to think twice about having more meetings.

Commissioner Brewer asked that review of the Commission's training videos be placed on a future agenda.

14) **Adjournment**

The Commission adjourned at 7:07 PM.

Respectfully submitted,


PHOEBE SHERRON
Sr. Office Specialist